

LEGISLATURE OF NEBRASKA
NINETY-SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 297

Introduced by Schimek, 27; Crosby, 29

Read first time January 11, 1999

Committee: Government, Military and Veterans Affairs

A BILL

1 FOR AN ACT relating to state capitol; to amend sections 81-1108.32,
2 81-1108.38, and 90-309, Reissue Revised Statutes of
3 Nebraska; to change provisions relating to the Nebraska
4 Capitol Commission and the Nebraska State Capitol
5 Environs Commission; and to repeal the original sections.
6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 81-1108.32, Reissue Revised Statutes
2 of Nebraska, is amended to read:

3 81-1108.32. The Nebraska Capitol Commission is hereby
4 created. The commission shall consist of the Governor, the Speaker
5 of the Legislature, the Chief Justice of the Supreme Court, the
6 dean of the College of Architecture at the University of
7 Nebraska-Lincoln, and three other residents of Nebraska appointed
8 by the Governor. One appointive member shall be appointed from
9 each congressional district. The terms of the appointive members
10 shall be staggered so that one term expires on March 1, 1994, one
11 term expires on March 1, 1995, and one term expires on March 1,
12 1996. As the terms of the appointive members expire, the Governor
13 shall, on or before March 1 of each year, appoint or reappoint a
14 member of the commission for a term of three years to succeed the
15 member whose term expires. Any member appointed after March 1
16 shall serve for the remaining portion of the three-year term.
17 ~~Appointive members of the State Building Advisory Commission~~
18 ~~serving on September 9, 1993, shall serve as members of the~~
19 ~~Nebraska Capitol Commission until appointments are made by the~~
20 ~~Governor.~~

21 The Governor shall serve as the chairperson of the
22 Nebraska Capitol Commission, and the Director of Administrative
23 Services or his or her representative shall serve as the nonvoting
24 secretary of the commission. The members of such commission shall
25 be reimbursed for their actual and necessary expenses while away
26 from home engaged in the performance of their duties as members of
27 the commission as provided in sections 81-1174 to 81-1177.

28 Sec. 2. Section 81-1108.38, Reissue Revised Statutes of

1 Nebraska, is amended to read:

2 81-1108.38. It shall be the duty of the Nebraska Capitol
3 Commission to provide advice to the Department of Administrative
4 Services in carrying out this section. The department shall (1)
5 establish policies and guidelines for the proper conservation,
6 restoration, and enhancement of the State Capitol and its
7 furnishings, ~~and grounds,~~ (2) establish policies and guidelines for
8 the implementation of the approved Capitol Landscape Restoration
9 Master Plan on and around the capitol grounds and site development
10 in and around the State Capitol and all other state-owned property
11 located within the Nebraska State Capitol Environs District, (3)
12 participate with the commission created pursuant to section 90-306
13 to conserve, protect, and enhance the environs and vistas of the
14 State Capitol, ~~(3)~~ (4) establish policies and guidelines for use of
15 the State Capitol's preservation and adaptive-use spaces including
16 the adoption of a document of standards, and ~~(4)~~ (5) review the
17 proposed construction and repairs of buildings for state use. The
18 Department of Administrative Services, with the advice of the
19 Nebraska Capitol Commission, may adopt and promulgate rules and
20 regulations to carry out this section.

21 The landscaping required pursuant to subdivision (2) of
22 this section shall begin as soon as practicable during the
23 renovation of the capitol structure and at least seventy percent of
24 the landscaping design shall be completed by the completion of the
25 Capitol Masonry Restoration Project begun in 1998. Implementation
26 of the landscaping shall be coordinated with the progress of work
27 on the Capitol Masonry Restoration Project. On the effective date
28 of this act, the Department of Administrative Services shall begin

1 contracting for the technical specifications and fabrication of
2 fountains that will be placed in the center of each courtyard of
3 the State Capitol. The Nebraska State Capitol Environs Commission
4 shall consult the original design specification of the fountains
5 during the planning and construction phase.

6 The commission shall hold meetings at least twice a year
7 from 1999 through 2010 and at least annually after 2010. The
8 commission shall meet at least annually with the Nebraska State
9 Capitol Environs Commission to discuss and coordinate projects that
10 may impact the capitol and its surrounding environs. The meeting
11 with the Nebraska State Capitol Environs Commission may be held in
12 conjunction with one of the meetings of the Nebraska Capitol
13 Commission required by this section.

14 In addition to any other rights and powers conferred upon
15 the commission, it shall monitor and advise the administrator in
16 exercising the power of eminent domain on behalf of the state for
17 the purpose of acquiring sites or buildings for state use. The
18 administrator may for such purpose take, hold, and condemn for the
19 state any and all necessary property. The procedure to condemn
20 property shall be exercised in the manner set forth in sections
21 76-701 to 76-726.

22 Sec. 3. Section 90-309, Reissue Revised Statutes of
23 Nebraska, is amended to read:

24 90-309. (1) The Nebraska State Capitol Environs
25 Commission shall meet at least annually with the Nebraska Capitol
26 Commission to discuss and coordinate projects that may impact the
27 capitol and its surrounding environs pursuant to section
28 81-1108.38.

1 (2) The Nebraska State Capitol Environs Commission shall
2 report each January to the city council and mayor of the city of
3 Lincoln, to the Legislature, and to the Governor. The report shall
4 review the major decisions rendered during the preceding year and
5 outline the rationale for the decisions. The report may also
6 survey the status of the Nebraska State Capitol Environs District
7 and make recommendations for its enhancement and protection.

8 Sec. 4. Original sections 81-1108.32, 81-1108.38, and
9 90-309, Reissue Revised Statutes of Nebraska, are repealed.